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# Introduction: Symposium on the Social Practice of Human Rights

Richard K. Ghere

*University of Dayton*, [rghere1@udayton.edu](mailto:rghere1@udayton.edu)

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## Introduction

This volume of *Public Integrity* presents a symposium of five articles related to human rights that (1) introduce readers to the general origin and nature of human rights conversation, (2) characterize how these norms are conveyed in the current digital age, or (3) depict how local governments and nonprofit agencies confront matters of human rights. Nonetheless in publishing this symposium, PI “pushes the envelope” in asserting that human right questions legitimately qualify as matters germane to the study and practice of public administration. Readers could after all maintain that, notwithstanding the aspirational appeal of human rights, international norms fall well outside the parameters of sovereign states and their respective regime values (e.g., see Rohr 1989, pp. 59-95).

Mindful of the merits on both side of the argument, this symposium introduction enlists Chester Newland’s (combined) book reviews “Values and Virtues in Public Administration: Post-NPM Global Fracture and Search for Human Dignity and Reasonableness” (2012) in the *Public Administration Review* to support the affirmative case. At one point Newland asserts,

Public administration, as a disciplined field of inquiry and practice, is blessed by rich inheritances of human values and virtues bequeathed by past generations. These gifts endure, subject to informed study, reflection, and actions across generations through time. This treasure trove of knowledge requires human interpretation and application with wise self-awareness of what it is to be human individually, as communities, and as a species at given times of life and through history. Constitutional democracy enjoys enduring embrace of fundamental values—the search for human dignity and for the rule of law grounded in reasonableness—only insofar as their dynamic meanings continue as treasured subjects of wisely informed inquiry and practice. (p. 300)

But Newland's claim that concern for *human dignity* is inherent in public administration does not necessarily imply that *human rights* fall within the scope of the discipline as a legitimate concern. Some international relations scholars assert that renditions of the dignity construct may well surface from political regimes' characterizations of the "worthy" citizen, whether fulfilling customary (caste- or gender-based) roles in traditional societies, a "comrade" within a communist society, or one willing to sacrifice for the future in a developmental dictatorship. In each of these cases, the "worthy" citizen's willing subordination to the communitarian imperative as a condition for warranting dignity pre-empts the possibility of human rights for the *individual* (Howard and Donnelly 1986, pp. 807-813).

By contrast, liberal societies place no conditions on bestowing human dignity beyond being human, as Howard and Donnelly relate:

For the liberal, the individual is not merely separable from the community and social roles, but specially valued precisely as a distinctive, discrete individual-which is why each person must be treated with equal concern and respect. The state and society are conceived, in more or less contractarian terms, as forms of association for the fuller unfolding of human potential, through the exercise and enjoyment of human rights.

Human dignity, for the liberal, is largely encompassed in the vision of life as an equal and autonomous member of society, enjoying a full range of human rights. (p. 803)

Their reference to "the full range of human rights" becomes provocative to the extent that the Universal Declaration of Human Rights (discussed in the McFarland article to follow) articulates *social, economic, and cultural* rights, in addition to the narrower scope of *civil and political* rights that typically animate "rights talk" in the U.S. If, as Howard and Donnelly assert, liberalism is a necessary condition for human dignity *and* human rights, it becomes clear that the

minimalist state, as defended by those who limit government to protecting order and property, denies individual citizens the range of rights that afford dignity. As one human development expert points out, “From [a minimalist] perspective, it is possible to be free while starving to death at the same time. [In other words] the freedom that matters is not the freedom from interference of others, but the freedom one has to lead a good and worthwhile life.” (Deneulin 2009, p. 51)

By inference, it follows that a human-rights focused practice of public management abandons a posture of neutrality to assist marginal individuals and groups in developing the capabilities they need to achieve the freedom to live the worthwhile life. Specifically, philosopher Martha Nussbaum is explicit in articulating ten central capabilities that a “decent political order must secure to all its citizens at least at a threshold level”: (1) life; (2) bodily health; (3) bodily integrity; (4) senses, imagination, and thought; (5) emotion; (6) practical reason; (7) affiliation; (8) other species; (9) play; and (10) control over one’s environment (2011, 33–34). Generally concurring with Nussbaum’s capability approach, Nobel Prize-winning economist Amartya Sen (1999) prefers not to categorize capabilities in deference to others that may be acknowledged in the future. Although the public manager cannot be expected to assume the role of a full-throated human rights advocate, she *could* develop skills as a “praca-dialectician” (see Johnson 2013, p. 543) who can navigate contentious, dialectical environments that pit the human capability needs of a marginal few against reactive public voices (Lilla 2016).

While Newland does not explicitly refer to such a praca-dialectician, he indeed calls for a management practice that (as mentioned above) attends to “human interpretation and application with wise self-awareness of what it is to be human individually, as communities, and as a species at given times of life and through history.” (2012, p. 300) Hinting at the dialectical nature of this

self-awareness, he suggests that constitutional democracy depends upon dynamic meanings of human dignity and rule of law (p. 300). Moreover, Newland associates an increased awareness “of what it is to be human” with an expanding field of public administration: “Public administration requires grounding in many other fields and disciplines, notably the humanities...Never successful as a narrow discipline, public administration must strive to serve as a broadly informed field, with commanding knowledge of varied old and emerging inquiry.” (p. 301) To accentuate his case against a narrow discipline, Newland recalls the New Public Management (NPM) experience wherein the disciplines of public administration became “hostage to self-serving interests, simple ideology, and political demagoguery as occurred from the mid-1970s through much of the 1990s.” (p. 301)

Each of the five papers included within this human rights symposium touch upon one or more of Newland’s arguments his book review that inter-relates the “values and virtues in public administration,” the “post-NPM global fracture,” and “the search for human dignity and reasonableness.” In this symposium’s initial article, Samuel McFarland pays tribute to five key architects of the Universal Declaration of Human Rights (UDHR)--American Eleanor Roosevelt; Lebanon's Charles Malik; China's Peng-chun Chang; Canada's John Humphrey; and France's René Cassin--who represented diverse cultures and religions. Adopted by the United Nations General Assembly in 1948, the UDHR “has served as the foundation of virtually all modern human rights developments.” In addition to illustrating the (individual and collective) interpretive efforts of these five architects in their characterizations of an internationally-recognized human dignity, McFarland demonstrates how these five individuals reacted over time to world events so as to provoke dynamic meanings of human rights and dignity as reflected in

various drafts of the Declaration and subsequent determinations of the U.N. Commission on Human Rights, which had been created in 1946.

As does McFarland, Mahmood Monshipouri calls attention both to the dynamic meaning of human rights and to the varying media by which it is conveyed. Specifically, Monshipouri elaborates on the opportunities and constraints that the “evolution of cyberspace and Internet connectivity has opened up” in addressing human rights concerns and motivating rights advocates within societies led by authoritarian regimes. This author speaks to prospects of prosecuting human rights claims “in a digital era of rapid, massive changes.” (Newland 2012, p. 301). In this regard, Monshipouri points out, “[t]he paradoxical nature of [digital media] ...for human rights is evidenced by the potential for both positive applications and the counterbalancing of threats. Technology...presents opportunities to advance socioeconomic and political change, but it could adversely affect freedom of speech and privacy.”

Barbara Frey redirects the symposium’s focus to specific initiatives at the local level (in the U.S.) to extend human rights protections to marginal groups. Her article describes how five particular “[n]on-state actors, including churches and non-profit organizations often supported by public funding work informally to fulfill the minimum core economic and social rights of migrants, as shown through a case study of several organizations in the State of Minnesota.” Frey’s article about how non-state actors “fill the migrant-rights gap” illustrates a broadened view of the public administration discipline that depicts how *nonprofit* groups offer pracedialectical leadership that reflects the values and virtues that might be expected of public organizations.

By contrast, Majka and Longazel’s contribution to this symposium chronicles events leading up to one municipality’s initiative to “become welcoming,” and thus willing to fill the

migrant gap that Barbara Frey characterizes. Specifically, their article recounts how “local organizations staffed by or advocating on behalf of immigrants and refugees” led to passage of the City of Dayton’s (Ohio) "Welcome Dayton: Immigrant Friendly City" resolution in 2011. In demonstrating how that city’s humanitarian concern poses a challenge to the exclusionary rhetoric voiced in the body politic and embedded in immigration law and policy.

Lastly, Richard Ghere examines bureaucratic rhetoric (some of it exclusionary) as it relates to the Detroit Water and Sewerage District’s stepped-up water discontinuation efforts in 2014 and 2015 that left thousands of inner-city residents with “delinquent” accounts without access to water service. Some observers claimed that this aggressive water pricing strategy was linked to efforts to privatize Detroit’s water bureaucracy as a New Public Management venture. Visiting Detroit in October of 2014 at the invitation of rights-advocacy groups, two UN special rapporteurs framed the issues of water unaffordability on the part of poor residents and DWSD shutoff procedures as matters of human rights deprivation. Water officials dismissed those claims as irresponsible.

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